

Manual of Program Requirements

MHT Capital Grants, MHT Capital Loans, & AAHPP Grants

Revised 9/24/2019

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Grant / Loan Start-Up

Easement Conveyance / Modification

Once you have been awarded a grant or a loan, the first step will be to convey a preservation easement or modify your existing preservation easement, if required. Not all projects require the conveyance of an easement or the modification of your existing easement, so your MHT project monitor will let you know if either is required. If it is, MHT's easement administrator will send you materials to initiate this process. This process typically takes six to nine months, but can take as little as two months if grantees or borrowers submit the required materials to MHT quickly. Grant and loan paperwork, except in the case of grants for acquisition, will not be fully executed until the easement or modification are in place, although they will be sent to you so that you can begin preparing all the necessary documents (see below).

Grant Agreement / Loan Closing

If you are a loan recipient, you will receive paperwork from MHT and the loan servicer to assist you with loan closing.

If you are a grant recipient, you will receive a grant agreement and related documents from MHT's financial team. Sign the documents as instructed and return them to MHT. There are several steps that these documents will go through before being fully executed, including approval by the Board of Public Works, legal review, and signature by the Director of MHT. Once the grant agreement is fully executed, the MHT financial team will request an account be created so that payments can be issued. Expect this process to take up to two months.

While you may begin working with your MHT project monitor on the documents for procurement while your grant agreement is being processed, you will typically not be allowed to send your Request for Proposal (RFP) out for bids until the grant agreement is fully executed.

Procurement Process

Any services that are to be paid, in whole or in part, with funds from an MHT Capital Grant, MHT Capital Loan, or African American Heritage Preservation Grant **MUST** be selected on the basis of **competitive proposals** unless otherwise determined by MHT. The following guidelines are intended to assist project managers with the procurement process for securing professional services from architects, engineers, contractors, and other consultants.

The basic procurement steps include:

- getting your scope of work approved by MHT
- getting your Request for Proposals (RFP) and ad (if required) approved by MHT
- soliciting bids according to MHT's procurement requirements
- selecting the winning bid and getting that approved by MHT

1. *Getting Started*

Consult with your MHT project monitor (see the cover sheet for contact information) about what type of services you will need to begin your project. Some grant/loan recipients begin by hiring an architect, engineer, or other consultant who will create a plan for construction work. Some grant/loan recipients already have construction documents and can immediately hire a contractor to begin work. Your project monitor will help you determine where you need to start.

2. *Scope of Work Approval*

If you are hiring an architect/engineer for pre-development, skip this step and go straight to "Preparing the RFP and Ad."

For all other work, **MHT must approve your scope of work before you send out your RFP**. Your project monitor will guide you to ensure that all work is eligible for grant funding and meets the Secretary of the Interior's Standards for Rehabilitation. For this reason, your final scope of work may differ somewhat from the project you described in your application. For grant projects, unless written approval is obtained from MHT, you must use the grant funds and grantee's contribution (matching funds) as detailed in the grant agreement.

Contact your project monitor to help determine your scope of work and guide you through the approval process. If MHT holds a preservation easement on your property, you will need to submit an Application for Change/Alteration to an Easement Property (http://mht.maryland.gov/easement_existing.html).

3. *Preparing the RFP and Ad*

For any work that will be paid for using grant funds, you will need to prepare a Request for Proposals (RFP). You will also need to prepare an ad if the anticipated cost of the contract will be above \$25,000 for an architect or engineer or above \$40,000 for a contractor. **Your MHT project monitor will need to review and approve both the RFP and the ad (if required) before they are made public for bids.**

Your RFP will include general information about the property, the scope of work, the pre-proposal conference (if you are holding one), what materials should be submitted for a complete bid, and how to submit the bid. On the next page is a checklist that includes the necessary components for a complete RFP that will meet MHT's requirements. At the end of this manual are sample RFPs and forms for soliciting bids from an architect/engineer or from a contractor, which your MHT project monitor can email to you as an electronic document upon request. You may also use your own RFP template if you prefer, so long as the required components and forms are included.

4. Soliciting Bids

Once your RFP and ad have been approved by your project monitor, you may send them out for bid.

If you are not required to publish an ad, you must solicit bids from at least SIX firms or professionals, even if not all of them respond to your RFP.

If you are required to publish an ad, you will need to publish the ad either three days in the same newspaper or on one day in three different newspapers. Consult with your MHT project monitor to determine which newspaper(s) to use.

Once you release your approved RFP and ad, send copies of the following to your MHT project monitor:

1. A final copy of the RFP, with correct dates and all forms.
2. A copy of the final ad, if required, as well as a copy of the ad including the dates it ran and the publications it was printed in. A screen shot or digital notification including dates from the publisher will be acceptable if the ad runs online.

When a proposal is received, it should be stored unopened in a secure place all bids are opened.

5. Selecting a Firm

The contract is to be awarded to the responsible and responsive firm whose proposal meets the requirements and evaluation criteria set forth in the RFP, and offers the lowest qualified price. A PROPOSAL MAY NOT BE EVALUATED FOR ANY REQUIREMENT OR CRITERION THAT WAS NOT DISCLOSED IN THE RFP.

Once you have determined the firm you wish to hire, email your selection to your MHT project monitor along with the following:

1. A list of all firms that you solicited a bid from and / or who responded to your ad requesting an RFP package.
2. A copy of all responses received, including any "No Reply Forms" or emails stating that a firm does not plan to submit a bid.

Your MHT project monitor must approve your selection before you enter into a contract with the successful firm. Send a copy of the fully signed contract to your MHT project monitor so that payments can be approved.

You should also send written notification to the unsuccessful respondents.

RFP Requirements

Whether you use one of the sample RFPs at the end of this manual or your own template, there are required components that must be included in all RFPs.

1. The name of the grant/loan recipient.
2. The name and address of the project property. While optional, a brief description of the property and project along with a photo or two may be helpful.
3. The date the RFP is being issued and the deadline for receipt of bids. See items #7 and #8 below for additional information on dates related to the RFP.
4. The name, phone number, and email address of the project contact.
5. A description of the services that you anticipate will be required (for an architect or engineer) or the MHT-approved scope of work (for a contractor).
6. The proposed project schedule or deadlines.
7. How potential bidders can inspect the project property (e.g. by contacting you for an appointment). If there will be a required pre-proposal conference, it **MUST** be at least 15 days after the date the RFP is issued, and at least 15 days before the bid deadline.
8. RFP submission requirements (what forms are required, how many copies, etc.; see below for a list of forms required by MHT), the deadline for submission of proposals (which **MUST** be at least 30 days after the RFP is issued), and the location to which proposals are to be delivered or emailed.
9. Your RFP should include all evaluation factors and should reflect the weighting of criteria (the evaluation criteria should be listed in descending order of importance, see examples below). You cannot evaluate the proposal on any criteria that are not included in the RFP. Sample criteria for evaluation (alter based on the needs of your project):
 - completeness
 - responsiveness to the program
 - project-related qualifications
 - previous relevant (i.e. historic preservation or specialty services) experience
 - ability to meet project schedule
 - cost
10. The following statements must be included in your RFP:
 - This project will be partially funded by a grant through the Maryland Historical Trust (MHT). All work must be acceptable to MHT and must meet the Secretary of the Interior's Standards. Payment must take up to 45 days.
 - The contract will be awarded to the lowest qualified proposal.
 - The contract will be a lump sum, fixed price contract.
 - Minority Business Enterprises are encouraged to respond.
 - The successful firm must be an Equal Opportunity Employer.
 - All amendments, addenda, and changes, and the receipt thereof, be acknowledged in writing.
11. Require firms to submit the names and locations of comparable projects that they have successfully completed, as well as references for those projects, so that you can evaluate each firm's qualifications.

RFP Package

RFP packages include the RFP itself as well as other documents or drawings that describe the project and forms that the responding firm needs to fill out and submit to you. The following forms must also be included:

- Financial Proposal Form
- Qualifications Form (Require firms
- “No Reply” form (so that the firm can notify you if not submitting a proposal)
- Conflict of Interest Affidavit Form

Templates for all of these forms are included at the end of this manual; you should adapt and customize them for your project and property. Upon request, your MHT project monitor can provide these forms electronically in an editable format.

Disbursement Request Process

Fund disbursement will only take place after a preservation easement has been conveyed (if required), a grant agreement has been fully executed (for grant projects) or the loan closing has occurred (for loan projects), and the scope of work has been approved by MHT. **With the exception of acquisition projects and deposits approved by your MHT project monitor, payment can only be released for completed work.** For acquisition projects, MHT staff will provide the check at settlement.

Payments will ONLY be made to the grantee or loan recipient, NOT to a contractor or consultant. This may delay your payment to the contractor or consultant beyond the customary 30 days. Please be sure your contractor or consultant is aware of this and make any necessary arrangements. We recommend signing up for Direct Deposit with the State Comptroller to hasten the payment process (see the “Resources” section of this manual for sign-up information).

To request a payment, email your MHT project monitor the following:

1. A copy of the invoice for complete work or materials purchased. The complete work should be approved by both the grantee/loan recipient and, if applicable, the project architect/engineer.
2. A brief description of the work or materials (1-2 sentences is typically sufficient).
3. A few photos of the work or the materials (for construction) OR a copy of the completed report, drawings, etc. (for pre-development) for which payment is being requested.

Your MHT project monitor will confirm that all work/materials are eligible grant/loan expenses and that all work is approved. This may require a site visit from your MHT project monitor.

When reviewing your request for disbursement, your MHT project monitor will consider the following questions:

1. **Is the cost eligible? Has it been incurred in the grant period? Is it related to the approved scope of work and/or budget?** (See your grant agreement for approved grant period, project scope and budget, if applicable.)
2. **Is the cost necessary?** – If there were no grant funds involved, would the cost have had to be incurred, or incurred at the amount stated?
3. **Is the cost reasonable?** – Is it in line with costs for the same item or service in your area? (Reasonable and necessary often go hand in hand, but you always ask if it is necessary before you ask whether it is reasonable.)
4. **Is the cost verifiable?** – Do you have proof of the project expense? (Invoices, receipts, contracts, and so on).

You must retain records of your project expenditures for 3 years after grant project completion or loan payoff.

Documentation of Match (grants only)

See Exhibit A of your grant agreement to see if you have committed match for your grant project.

If you have committed cash match, you will need to provide copies of invoices and cancelled checks to substantiate the cash spent ***on the defined project***.

If you have committed in-kind match, you will need to substantiate the materials or services donated ***for the defined project***.

- For donated materials: an invoice for materials or a signed statement from the donor is required.
- For donated services:
 - General volunteer services must be documented with a timesheet that includes the date, time, and task, and must be signed by both the volunteer and the grant project manager. The hourly rate for volunteer time is valued based on the rate for Maryland noted on the Independent Sector website at http://www.independentsector.org/volunteer_time
 - Donated professional services should be documented with a signed statement from the donor, including the donor's customary hourly rate and number of hours donated.
 - Board Members (or equivalent) donating their services may use their customary hourly rate **only** when donating relevant professional services. For example, a Board Member who is an architect may use their standard hourly rate for drafting construction documents, but must use the general volunteer rate from the Independent Sector website for time spent administering the MHT grant.

Match should be expended proportionately to grant funds, unless otherwise approved by your MHT project monitor.

For additional information about eligible match expenditures, see the grant program Guidelines.

You must retain records of your match expenditures for 3 years after grant project completion.

Project Extensions & Completion

Extensions

If you are making progress but your project will not be complete by the Project Completion Date listed in Exhibit A of your Grant Agreement, you can request an extension by emailing your project monitor. If your project monitor determines that you are making appropriate progress, you will receive an extension letter by email. Your project monitor may also contact you prior to your Project Completion Date to offer you an extension. If you do not respond to an extension offer within two weeks, at MHT's discretion, your grant deadline may be automatically extended by your project monitor.

Project Completion

The Project Completion Report is intended to provide a photographic record and capsule summary of the grant or loan project. **The final 10% of project funds will be withheld until the Project Completion Report has been submitted in a form satisfactory to MHT.**

The Project Completion Report should be submitted on the form on the next page, which can be provided to you as an MS Word document by your MHT project monitor.

Along with your Project Completion Report, you should be certain the following have also been submitted to your MHT project monitor:

1. A copy of all test results, consultants' reports, and final drawings associated with the project. These may be provided in digital format.
2. Photo documentation (unless otherwise indicated by your MHT project monitor):
 - a. Please provide good quality digital images in digital format. Images should include at least one overall photograph of each side of the building; representative interior photos; and several photos highlighting specific details or areas of interest, especially of elements for which State funds were used.
 - b. All images must be taken AFTER the completion of grant- or loan-funded work, even if construction on another phase of the project is still underway.
 - c. The images should be clearly identified in a photo log, which should include the following information for each photo:
 - i. File name
 - ii. Name of photographer
 - iii. Date photo was taken
 - iv. Description of photo content (e.g. "rear of property after reconstruction of porch)

Once your MHT project monitor has approved your final report, your final payment will be issued.

Project Completion Report Form

1. Property Data

Property Name	
Property Address	
City, State, ZIP	
County	

2. Type of Funding

(check one)	African American Heritage Preservation Grant <input type="checkbox"/>	MHT Capital Grant <input type="checkbox"/>	MHT Capital Loan <input type="checkbox"/>
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3. Project Summary (approximately 60 words)

	Grant Funds Received	\$
	Actual Cash Match	+\$
	Actual In-Kind Match	+\$
	Other Project Costs	+\$
	Total Project Costs	=\$

4. Grant Applicant Data

Organization				
Type (check one)	Nonprofit <input type="checkbox"/>	Local government <input type="checkbox"/>	Business entity <input type="checkbox"/>	Individual <input type="checkbox"/>
Federal Identification Number				
Contact Name				
Address				
City, State, ZIP				
Phone		Fax		
E-mail		Website		

5. Property Owner Data

Organization			
Contact Name			
Address			
City, State, ZIP			
Phone		Fax	
E-mail		Website	

**This form can be provided to you as a Word document or fill-in form – please contact your Project Monitor.*

Resources

<i>I need to know about...</i>	<i>... where do I find this information?</i>
Historic Preservation	
General preservation principles; how MHT evaluates changes to historic properties	The Secretary of the Interior's Standards http://www.nps.gov/tps/standards.htm
Specifics of preservation "best practice", for example, guidance on how to repoint masonry or restore plaster, or how to adapt for accessibility, among other subjects	National Park Service Preservation Briefs http://www.nps.gov/tps/how-to-preserve/briefs.htm
I need technical preservation advice above and beyond the written materials referenced above. Can MHT help?	Yes, MHT offers technical preservation assistance through the Office of Preservation Services. Contact your project monitor for more information.
Lead Paint	http://www.epa.gov/lead/ http://mde.maryland.gov/programs/Land/LeadPoisoningPrevention/Pages/index.aspx

Easements	http://mht.maryland.gov/easement.shtml
What is a preservation easement? Do you have a sample easement?	MHT Easement Conveyance Packet http://mht.maryland.gov/documents/PDF/easement/easement_procedures_conveyance_grants.pdf
What documents do I need to provide to MHT so MHT can create an easement on my property?	MHT Easement Conveyance Packet http://mht.maryland.gov/documents/PDF/easement/easement_procedures_conveyance_grants.pdf
How do I get MHT's approval for changes to an easement property?	MHT Application for Change/Alteration to Easement Property http://mht.maryland.gov/documents/PDF/easement/Easement_Change_Alteration_Application_2017.pdf
When will MHT's Easement Committee meet to review my application? When are applications due?	Easement committee meets approximately every three weeks. The dates are posted annually with a link on this page: http://mht.maryland.gov/easement.shtml

Approval of grant- or loan-funded work	
How do I get MHT's approval for work:	
➤ For an easement-protected property or a property that <i>will have</i> an easement	See above under "Easements"
➤ For a property that <i>does not and will not</i> have an easement	Contact your project monitor about submission requirements
Hiring an architect, engineer, contractor, or consultant	Any work to be paid with MHT funds MUST be selected through competitive selection and MAY NOT be sole-sourced. Your procurement process MUST conform to MHT's requirements (below).
➤ For an architect, engineer, or other consultant	See "Manual of Program Requirements" link in left-hand sidebar on this website: http://mht.maryland.gov/grants_capital.shtml
➤ For a contractor, builder, or craftsman	See "Manual of Program Requirements" link in left-hand sidebar on this website: http://mht.maryland.gov/grants_capital.shtml
Does MHT have a list of consultants and contractors?	The Maryland Association of Historic District Commissions (MAHDC) maintains a directory online: http://mahdc.org/contractor-directory/ Preservation Maryland maintains a directory online: http://preservelist.org/
Grant Financial & Reporting Requirements	
Disbursement of MHT funds	See "Manual of Program Requirements" link in left-hand sidebar on this website: http://mht.maryland.gov/grants_capital.shtml
State of Maryland Direct Deposit	To sign up for direct deposit with the state, go to the following website: http://comptroller.marylandtaxes.gov/Vendor_Services/Accounting_Information/Electronic_Funds_Transfer/ If you have issues with the website, call the Comptroller at 1-888-784-0144 and select option 7 from the menu.
Recordkeeping Requirements & Financial Responsibilities	See "Manual of Program Requirements" link in left-hand sidebar on this website: http://mht.maryland.gov/grants_capital.shtml
Project Completion	See "Manual of Program Requirements" link in left-hand sidebar on this website: http://mht.maryland.gov/grants_capital.shtml
Other Funding Sources for Preservation Projects	http://mht.maryland.gov/documents/PDF/grants/Grants_Funding_Sources.pdf

Sample RFP and Ad for Architect / Engineer or Consultant

Architect / Engineer / Consultant Sample Request for Proposals

REQUEST FOR PROPOSALS

[BRIEF DESCRIPTION OF NATURE OF WORK, SUCH AS “DESIGN SERVICES”, “CONSULTING SERVICES”]

NAME AND ADDRESS OF PROPERTY

ISSUE DATE: [INSERT ISSUE DATE]

DUE DATE AND TIME: [INSERT DUE DATE AND TIME]

The (Name of Grantee/Borrower) invites interested and qualified firms to submit a proposal for professional services to be rendered toward the (rehabilitation, stabilization, etc.) of the (Name of Property, location of Property).

Proposals should be received in hard copy at [place] {or via e-mail to: etc.} no later than [time] on [date].

INTRODUCTION/ BACKGROUND

Give a brief background about the property or project, including date of construction and significant alterations, history, ownership, current use, proposed use, National Register listing or local listing or landmarking.

Sample text: Originally constructed in 1838 as the John Wesley Methodist Episcopal Church, the structure that now houses the Chipman Center is the oldest standing African American house of worship in Delmarva. Since 1994 the building has served as a museum and cultural center under the ownership of the nonprofit Chipman Foundation, Inc. The project will be executed with the involvement and oversight of the State Historic Preservation Office (the Maryland Historical Trust, “MHT”).

[Include if applicable:] The Maryland Historical Trust holds a perpetual preservation easement on the property, which restricts alterations to [note the area, structures, etc covered by the easement].

SCOPE OF SERVICES

Detail the services you anticipate will be required of the consultant or consultant team:

Sample text:

The successful offeror will provide assessment, design / specification, and construction phase services for various repairs to the [PROPERTY]. Specific areas of concern which are anticipated to be addressed with current funding include roof drainage, site drainage, brick foundation (removal of parging & repointing), exterior doors, windows, and installation of sprinkler system. Tasks will include:

- Investigation, analysis, and documentation of existing conditions; recommendations for repairs.*
- Development of written scope of work, specifications, drawings, etc as needed to fully describe work for MHT approval and for all other required approvals and permits. Assist owner with submission to MHT for approval. Assist owner / contractor to obtain all other required approvals and permits.*
- Assist owner with creation of RFP(s) for construction services, in coordination with MHT and complying with MHT procurement requirements. Assist owner with selection of contractor(s).*
- Construction administration services, including coordination of sprinkler system installation with historic preservation and code requirements. Provide full oversight and coordination with contractor as representative of owner during construction. Review and certify contractor's requests for payments.*

-OR-

The consultant will provide comprehensive architectural / engineering services for repairs and improvements to the [PROPERTY].

The A/E services as well as the [construction, repairs, rehabilitation – insert as appropriate] will be funded through an African American Heritage Preservation Program grant [or Capital Grant, or Capital Loan] from the Maryland Historical Trust (MHT) and all work must meet the Secretary of the Interior's Standards for Rehabilitation.

Please provide cost proposal using the attached form and breakdown.

The contract that results from this RFP will be a fixed-price contract.

The contracted firm will be compensated upon submission and approval by MHT / Maryland Department of Planning of detailed invoices outlining deliverables and work steps completed and reflecting prices as submitted with the financial proposal. Payment may be expected within 30 days of presentation of a satisfactory invoice and any supporting documentation to MHT.

PRE-PROPOSAL CONFERENCE / SITE VISIT

Include the details of the Pre-proposal Conference, if one is being held.

Sample text: A [choose: mandatory / optional] pre-proposal conference and site visit will be held at [time] on [date] at [location]. [Insert if applicable: Attendance at the site visit is mandatory for firms wishing to submit a proposal. Proposals from firms not attending the pre-proposal conference will be rejected.]

TIMETABLE

Indicate any required project start dates, completion dates, or timing considerations.

Sample text: The architect should expect to begin the project immediately upon notification of contract award (anticipated no later than first week of April 2015). It is anticipated that work should be substantially complete by August 1, 2015.

QUALIFICATIONS

List any requirements that apply to the firms making proposals.

Sample text:

- *The Architect must be licensed by the State of Maryland at the time of execution of this document.*

- *The Architect must demonstrate experience in working with historic buildings. Please use the attached qualification form.*
- *The Architect must demonstrate Architect's Professional Liability Insurance providing coverage in a principal amount of no less than \$1,000,000 for any willful or negligent act or omission by the Architect arising out of the performance of this Agreement. The Architect will provide the owner with a certificate indicating that such insurance is in effect. Such insurance will add the **[insert name of organization]** as additional insureds.*
- *The project will be partially funded through a [grant/loan] from the Maryland Historical Trust (MHT), and the [Architect / Engineer / Consultant] will be required to carefully document and submit project expenses with each request for payment. It may take thirty days or more to process requests for payment in order to allow for review and processing by MHT.*
- *[Include if applicable] The Property is protected by a preservation easement that restricts alterations to [note the area, structures, etc covered by the easement]. The project will be executed with the involvement and oversight of the State Historic Preservation Office (the Maryland Historical Trust, "MHT"). All work must be designed and executed in accordance with the Secretary of the Interior's Standards for Rehabilitation.*

SELECTION CRITERIA

Define how the winning firm will be selected.

Sample text: The selection of the [architect, engineer, consultant] will be based on the following factors, in order of descending importance:

1. *Professional qualifications and experience.*
2. *Ability to complete the project within the time allotted.*
3. *Cost.*

Professional qualifications, experience, and ability to complete the project within the time allotted (technical merit) will have greater weight than cost (financial merit). The contract will be awarded to the firm whose proposal is determined to be the most advantageous to [insert grantee name].

RFP PACKAGE

List all items that the firm should receive from you as part of the RFP package.

Sample text: The RFP package consists of:

- *This “Request for Proposals” document*
- *“Consultant / Subconsultant Qualifications Statement” blank form*
- *“No Reply” blank form*
- *“Financial Proposal” blank form*
- *“Conflict of Interest Affidavit and Disclosure” blank form*

PROPOSAL SUBMISSION

List all items that must be included with the submission and define how you want them to be submitted.

Sample text:

Proposals must be received in [hard copy or e-mail] at [address or e-mail address] no later than [time] on [date].

OR

Proposals must be postmarked or sent by a traceable delivery method no later than [date].

Late submissions will not be considered.

A complete proposal submission consists of the following:

- 1. A completed and signed “Financial Proposal” form [insert if required: please provide three copies of this form, in a separate sealed envelope from the other proposal documents] ([insert desired number] copies).*
- 2. A completed “Consultant / Subconsultant Qualifications Statement” with no more than [ten] pages of project-related supporting materials attached ([insert desired number] copies).*
- 3. Resumes of up to three key project personnel; no more than [twelve] pages total for all resumes together ([insert desired number] copies).*
- 4. Completed “Bid / Proposal Affidavit”*
- 5. Completed “Conflict of Interest Affidavit and Disclosure”*
- 6. Copy of professional liability insurance certificate [if required]*

7. *Copy of professional license or certification [if required]*
8. *Consultant's estimate of start date and time frame for project (may be included in cover letter).*

Submit all proposal materials to: [contact person and address or e-mail address]

Please return a "No Reply" form to [contact person] at the [address or e-mail address] above if you are unable to provide a proposal.

FAILURE TO INCLUDE ALL REQUIRED INFORMATION WILL RENDER THE PROPOSAL NON-RESPONSIVE.

NOTICES

Insert the following language.

Offerors should give specific attention to the identification of those portions of their proposals that they deem to be confidential, proprietary information or trade secrets and provide any justification why such materials, upon request, should not be disclosed by the State under the Access to Public Records Act, State Government Article, Title 10, Subtitle 6, Annotated Code of Maryland.

MBE / WBE firms are encouraged to respond to this solicitation.

The Consultant and any Subconsultants must be Equal Opportunity Employers.

By submitting a response to this solicitation, a vendor shall be deemed to represent that it is not in arrears in the payment of any obligation due and owing the State of Maryland, including the payment of taxes and employee benefits, and that it shall not become so in arrears during the term of the contract if selected for contract award.

Architect / Engineer / Consultant

Sample Newspaper Ad – Request for Proposals

For projects where the cost of architectural, engineering or other consulting services will exceed \$25,000, proposals should be solicited through public advertising. Proposals may also be solicited directly from specific consultants, however, public notice ensures that the largest possible number of consultants are allowed to respond.

As a general guideline, the RFP should be published in at least one newspaper of general circulation, or in construction or trade journals. Examples of acceptable regional newspapers include the Baltimore Sun, Wilmington (Delaware) Journal, or the Star Democrat of Easton; the Washington Post; the Afro-American; the Daily Record; construction journals include the Dodge Report or the Blue Report. The ad should run three times in one paper or one time in three different papers. Be sure to get a copy of the printed ad and an invoice stating the dates the ad was printed for your records.

Keep the newspaper ad text as brief as possible – newspapers charge by the line!

Proposals are requested for _____ [Architectural, Engineering, Consulting, etc.] services for the restoration of the [property name, address, city, state]. Work includes [insert brief description of work].

Project is partly funded by the MD Historical Trust. All work must comply with Secretary's Standards and all State regs. incl. EEO.

Proposals must be rec'd before [date, time] at [address, city, state, zip]. Call [tel. no.] for RFP Documents.

Contact awarded to lowest qualified proposal.

[Mandatory] Pre-proposal site inspection [date, time].

Sample RFP and Ad for Contractor

Contractor / Builder

Sample Request for Proposals

REQUEST FOR PROPOSALS

[BRIEF DESCRIPTION OF NATURE OF WORK, SUCH AS “INTERIOR AND EXTERIOR REHABILITATION”, “ROOF REPLACEMENT”, OR “ASBESTOS REMEDIATION”]

NAME AND ADDRESS OF PROPERTY

ISSUE DATE: [INSERT ISSUE DATE]

DUE DATE AND TIME: [INSERT DUE DATE AND TIME]

[Insert name of property owner or grantee, as appropriate] invites interested and qualified firms to submit proposals for contracting services associated with the [brief description of work] at the [name and address of property].

Proposals must be received in hard copy no later than [time] on [date].

OR

Proposals must be postmarked or sent by a traceable delivery method no later than [date].

INTRODUCTION/ BACKGROUND

Give a brief background about the property or project, including date of construction and significant alterations, history, ownership, current use, proposed use, National Register listing or local listing or landmarking.

Sample text: Originally constructed in 1838 as the John Wesley Methodist Episcopal Church, the structure that now houses the Chipman Center is the oldest standing African American house of worship in Delmarva. Since 1994 the building has served as a museum and cultural center under the ownership of the nonprofit Chipman Foundation, Inc. The project will be executed with the involvement and oversight of the State Historic Preservation Office (the Maryland Historical Trust, “MHT”).

[Include if applicable:] The Maryland Historical Trust holds a perpetual preservation easement on the property, which restricts alterations to [note the area, structures, etc covered by the easement].

SCOPE OF SERVICES

Detail the services you anticipate will be required of the contractor.

Sample text:

Project work includes:

[Preferably, provide a numbered list of work items.]

The contractor [is/is not] responsible for obtaining any permits required for the work.

All work must be executed in accordance with the Secretary of the Interior's Standards for Rehabilitation. The contractor must be familiar with these Standards, and must be willing to work with the Architect and MHT to resolve all unanticipated conditions.

Please provide cost proposal using the attached financial proposal form and breakdown. Provide unit prices for additional work using the attached form. The Contractor may submit their standard quote sheet but must ALSO submit the filled out and signed cost proposal and unit prices forms.

The contract that results from this RFP will be a fixed-price contract. [Discuss with your project monitor if you feel another contract type may be more appropriate.]

[Insert if applicable – discuss with your project monitor. Only for contracts over \$100,000. See definitions at <http://www.attny.com/gci32djd.html>] Bid, performance and payment bonds will be required.

The project will be partially funded through a [grant/loan] from MHT, and the Contractor will be required to carefully document and submit project expenses with each request for payment. It may take thirty days or more to process requests for payment in order to allow for review and processing by MHT.

PRE-PROPOSAL CONFERENCE / SITE VISIT

Include the details of the Pre-proposal Conference, if one is being held.

Sample text: A [choose: mandatory / optional] pre-proposal conference and site visit will be held at [time] on [date] at [location]. [Insert if applicable: Attendance at the

site visit is mandatory for firms wishing to submit a proposal. Proposals from firms not attending the pre-proposal conference will be rejected.]

TIMETABLE

Indicate any required project start dates, completion dates, or timing considerations.

Sample text: The architect should expect to begin the project immediately upon notification of contract award (anticipated no later than first week of April 2015). It is anticipated that work should be substantially complete by August 1, 2015.

QUALIFICATIONS

List any requirements that apply to the firms making proposals.

Sample text:

- *The contractor and any subcontractors must demonstrate relevant experience with similar projects. [For historic properties, change to: The contractor and any relevant subcontractors must demonstrate experience working with existing buildings, particularly historic buildings.]*
- *The contractor and any subcontractors must hold a current license, as applicable to the nature of the work.*
- *Please provide qualifications and references for contractor and any subcontractors on the attached form.*
- *The contractor and any subcontractors must be Equal Opportunity Employers.*
- *Contractors and any subcontractors will be required to be insured.*
- *The project will be partially funded through a [grant/loan] from the Maryland Historical Trust (MHT), and the [Architect / Engineer / Consultant] will be required to carefully document and submit project expenses with each request for payment. It may take thirty days or more to process requests for payment in order to allow for review and processing by MHT.*
- *[Include if applicable] The Property is protected by a preservation easement that restricts alterations to [note the area, structures, etc covered by the easement]. The project will be executed with the involvement and oversight of the State Historic Preservation Office (the Maryland Historical Trust, "MHT"). All work must be designed and executed in accordance with the Secretary of the Interior's Standards for Rehabilitation.*

SELECTION CRITERIA

Define how the winning firm will be selected.

Sample text: The selection of the contractor will be based on the following factors, in order of descending importance:

- 1. Qualifications and references.*
- 2. Ability to complete the project within the time allotted.*
- 3. Cost.*

The contract will be awarded to the lowest proposal from a qualified firm which can complete the project within the time allotted. The Owners reserve the right to waive irregularities and to reject proposals.

RFP PACKAGE

List all items that the firm should receive from you as part of the RFP package.

Sample text: The RFP package consists of:

- 1. This "Request for Proposals" document*
- 2. "Consultant / Subconsultant Qualifications Statement" blank form*
- 3. "No Reply" blank form*
- 4. "Financial Proposal" blank form*
- 5. "Conflict of Interest Affidavit and Disclosure" blank form*
- 6. [Describe any plans, specifications, reports that are being provided to the bidders. Include the name of the preparer, date, page numbers as appropriate.]*

[Sometimes you may have large format drawings or thick specifications documents that you are unable to provide to all bidders in hard copy. In such cases you may make these available for the contractors to review; you would insert the following language: Proposal Documents may be examined at the [Architect's, Owner's, etc.] office by appointment. Please contact [name, contact information]. Alternatively, you or your architect could e-mail the documents to an interested contractor or make them available through your website or through a file-sharing site. In this case, you would insert the following language: Documents may be obtained electronically from the [Architect, Owner, etc.]. Please contact [name, contact information].]

PROPOSAL SUBMISSION

List all items that must be included with the submission and define how you want them to be submitted.

Sample text:

Proposals must be received in hard copy no later than [time] on [date].

OR

Proposals must be postmarked or sent by a traceable delivery method no later than [date].

Late submissions will not be considered.

A complete proposal submission consists of the following:

- 1. A completed and signed "Financial Proposal" form [insert if required: please provide three copies of this form, in a separate sealed envelope from the other proposal documents] ([insert desired number] copies).*
- 2. A completed "Consultant / Subconsultant Qualifications Statement" with no more than [ten] pages of project-related supporting materials attached ([insert desired number] copies).*
- 3. Completed "Bid / Proposal Affidavit"*
- 4. Completed "Conflict of Interest Affidavit and Disclosure"*
- 5. Consultant's estimate of start date and time frame for project (may be included in cover letter).*
- 6. Copy of current license for contractor and any relevant subcontractors ([insert number] copies).*
- 7. Copy of current insurance certificate for contractor and any relevant subcontractors ([insert number] copies).*
- 8. [INSERT ANY OTHER REQUIRED DOCUMENTS AND INDICATE NUMBER OF COPIES]*

Submit all proposal materials to: [contact person and address or e-mail address]

Please return a "No Reply" form to [contact person] at the [address or e-mail address] above if you are unable to provide a proposal.

FAILURE TO INCLUDE ALL REQUIRED INFORMATION WILL RENDER THE PROPOSAL NON-RESPONSIVE.

NOTICES

Insert the following language.

Offerors should give specific attention to the identification of those portions of their proposals that they deem to be confidential, proprietary information or trade secrets and provide any justification why such materials, upon request, should not be disclosed by the State under the Access to Public Records Act, State Government Article, Title 10, Subtitle 6, Annotated Code of Maryland.

MBE / WBE firms are encouraged to respond to this solicitation.

The Consultant and any Subconsultants must be Equal Opportunity Employers.

By submitting a response to this solicitation, a vendor shall be deemed to represent that it is not in arrears in the payment of any obligation due and owing the State of Maryland, including the payment of taxes and employee benefits, and that it shall not become so in arrears during the term of the contract if selected for contract award.

Contractor / Builder

Sample Newspaper Ad – Request for Proposals

For projects where the cost of construction services will exceed \$40,000, proposals should be solicited through public advertising. Proposals may also be solicited directly from specific contractors, however, public notice ensures that the largest possible number of contractors are allowed to respond.

As a general guideline, the RFP should be published in at least one newspaper of general circulation, or in construction or trade journals. Examples of acceptable regional newspapers include the Baltimore Sun, Wilmington (Delaware) Journal, or the Star Democrat of Easton; the Washington Post; the Afro-American; the Daily Record; construction journals include the Dodge Report or the Blue Report. The ad should run three times in one paper or one time in three different papers. Be sure to get a copy of the printed ad and an invoice stating the dates the ad was printed for your records.

Keep the newspaper ad text as brief as possible – newspapers charge by the line!

Proposals are requested for the [restoration, rehabilitation, construction, etc. as applicable] of the [property name, address, city, state]. Work includes [insert brief description of work].

Project is partly funded by the MD Historical Trust. All work must comply with [insert if applicable: Secretary's Standards and] all State regs., incl. EEO. [Insert if applicable: 5% Bid Bond & 100% Performance & Payment Bonds required.]

Proposals must be rec'd before [date, time] at [address, city, state, zip]. Contact [name, e-mail address, telephone number].

Contact awarded to lowest proposal from a qualified firm conforming to project schedule.

[Insert if applicable: Mandatory] Pre-proposal site inspection [date, time].

Sample Forms for All RFPs

Financial Proposal Form

REQUEST FOR PROPOSALS: **[INSERT PROJECT NAME]**

FIRM / TEAM NAME:		
Description	Cost	
[If you desire the proposal to be broken down into individual line items, you should list and describe those line items here. Otherwise, ask for a lump sum proposal.]		
[Line Item Description]		
[Line Item Description]		
TOTAL		

ADDENDA: Please fill in and initial to acknowledge receipt of RFP Addenda, if applicable.

Addendum Number and Date	Initials

HOURLY / UNIT COSTS: Please provide hourly rates for other team members.

Name / Title / Role	Hourly Rate

[This section is for Contractor RFPs only.] We hereby submit our proposal to the **[Organization Name]** for the **"[PROJECT NAME]"**.

1. I/We have received, read, and fully understand the drawings /specifications for the project, the Request for Proposals, and the Addenda.
2. I/We have examined the site, existing structures, access roads, existing utilities, and all existing conditions which affect the construction proposal.
3. I/We are able to provide all the materials, products, labor, equipment, supervision, managerial and professional services necessary for the project, and are able to construct the project as intended by the above mentioned specifications.
4. I/We are able to complete this project within the stipulated calendar days and/or critical completion dates specified by the Owner.
5. I/We clearly understand that this Construction Proposal Form must be completed and submitted in its entirety to be considered a responsive proposal. Failure to completely fill in all blanks may be cause for rejection of this proposal.
6. I/We clearly understand that the proposal price will be firm for a time period of [insert # days] calendar days from the proposal opening date.

The firm represents, and it is a condition precedent to acceptance of this proposal, that the firm has not been a party to any agreement to propose a fixed or uniform price.

Proposal submitted by representative hereby designated as project contact:

NAME:	
TITLE & FIRM NAME:	
ADDRESS:	
PHONE:	
E-MAIL:	
FEDERAL EIN #	
DATE:	
SIGNATURE:	

Qualification Form

The undersigned certifies under oath the truth and correctness of all statements and of all answers to questions made hereinafter.

Project Identification: **The John Doe House Restoration and Rehabilitation**

Company Name	
Contact Name	
Contact Title	
Address, City, State, ZIP	
Phone / Fax	
Email	
Website	

1.	How many years has your organization been in business?	
2.	How many years under your present name?	
3.	What time periods under a previous business name? (List below)	
	Company Name	Dates
	Company Name	Dates
	Company Name	Dates
	Company Name	Dates
4.	Is your organization licensed to do business in the State of Maryland?	<input type="checkbox"/> Yes <input type="checkbox"/> No
5.	Do you have a professional license in the State of Maryland?	<input type="checkbox"/> Yes <input type="checkbox"/> No
	Type of license	License Number
	Expiration date	
7.	Is your firm certified MBE in the State of Maryland?	<input type="checkbox"/> Yes <input type="checkbox"/> No
8.	Have you in the previous five years, been denied a contract award on which you submitted the low bid/proposal in competitive bidding, or been refused pre-qualification?	<input type="checkbox"/> Yes <input type="checkbox"/> No
	If yes, please explain:	
9.	List four or more projects executed by your firm within the past three years that were similar in nature and scope to this project, and were in compliance with the Secretary of the	

	<u>Interior's Standards</u> (if applicable). Attach photographic documentation of these projects, or refer us to your website. We may contact your references.	
	a.	Project Name
		Project Address
		When did you work on this project?
		Client / Reference Name
		Client / Reference Phone or Email
		Web link if available
	b.	Project Name
		Project Address
		When did you work on this project?
		Client / Reference Name
		Client / Reference Phone or Email
		Web link if available
	c.	Project Name
		Project Address
		When did you work on this project?
		Client / Reference Name
		Client / Reference Phone or Email
		Web link if available
	d.	Project Name
		Project Address
		When did you work on this project?
		Client / Reference Name
		Client / Reference Phone or Email
		Web link if available
	e.	Project Name
		Project Address
		When did you work on this project?
		Client / Reference Name
		Client / Reference Phone or Email
		Web link if available
10.	Provide names of key personnel to be involved in this project. Indicate the projects listed above with which they were involved. <i>On attached sheets, give brief resumes of each</i>	

	person, describing specific experience and qualification that will indicate ability to perform work required on this project.		
	a.	Name	
		Specialty / Trade	
		Project Role	
		Years of experience	
		Years with this firm	
		Involved in projects listed above?	
	b.	Name	
		Specialty / Trade	
		Project Role	
		Years of experience	
		Years with this firm	
		Involved in projects listed above?	
	c.	Name	
		Specialty / Trade	
		Project Role	
		Years of experience	
		Years with this firm	
		Involved in projects listed above?	
	d.	Name	
		Specialty / Trade	
		Project Role	
		Years of experience	
		Years with this firm	
		Involved in projects listed above?	
11.	Please indicate which portions of the work you will subcontract and the names of the subcontractors. <i>Please attach brief resumes of each subcontractor firm, describing specific experience and qualification that will indicate ability to perform work required on this project.</i>		
	a.	Firm Name	
		Specialty / Trade	
		Address, City, State, Zip	
		Phone	
		Email	

		Website	
		Years in business	
		Involved in projects listed above?	
		MBE?	<input type="checkbox"/> Yes <input type="checkbox"/> No
	b.	Firm Name	
		Specialty / Trade	
		Address, City, State, Zip	
		Phone	
		Email	
		Website	
		Years in business	
		Involved in projects listed above?	
		MBE?	<input type="checkbox"/> Yes <input type="checkbox"/> No
	c.	Firm Name	
		Specialty / Trade	
		Address, City, State, Zip	
		Phone	
		Email	
		Website	
		Years in business	
		Involved in projects listed above?	
		MBE?	<input type="checkbox"/> Yes <input type="checkbox"/> No
	d.	Firm Name	
		Specialty / Trade	
		Address, City, State, Zip	
		Phone	
		Email	
		Website	
		Years in business	
		Involved in projects listed above?	
		MBE?	<input type="checkbox"/> Yes <input type="checkbox"/> No

Conflict of Interest Affidavit/Disclosure Form

A. "Conflict of interest" means that because of other activities or relationships with other persons, a person is unable or potentially unable to render impartial assistance or advice to the State, or the person's objectivity in performing the contract work is or might be otherwise impaired, or a person has an unfair competitive advantage.

B. "Person" has the meaning stated in COMAR 21.01.02.01B(64) and includes a bidder, offeror, contractor, consultant, or subcontractor or subconsultant at any tier, and also includes an employee or agent of any of them if the employee or agent has or will have the authority to control or supervise all or a portion of the work for which a bid or offer is made.

C. The bidder or offeror warrants that, except as disclosed in §D, below, there are no relevant facts or circumstances now giving rise or which could, in the future, give rise to a conflict of interest.

D. The following facts or circumstances give rise or could in the future give rise to a conflict of interest (explain detail—attach additional sheets if necessary):

E. The bidder or offeror agrees that if an actual or potential conflict of interest arises after the date of this affidavit, the bidder or offeror shall immediately make a full disclosure in writing to the procurement officer of all relevant facts and circumstances. This disclosure shall include a description of actions which the bidder or offeror has taken and proposes to take to avoid, mitigate, or neutralize the actual or potential conflict of interest. If the contract has been awarded and performance of the contract has begun, the contractor shall continue performance until notified by the procurement officer of any contrary action to be taken.

I DO SOLEMNLY DECLARE AND AFFIRM UNDER THE PENALTIES OF PERJURY THAT THE CONTENTS OF THIS AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.

Date: _____

By: _____ (Authorized Representative and Affiant)

No Reply Form

FIRM NAME: _____

It is important that the _____ [organization issuing RFP] receive a reply from all invited respondents. There is no obligation to submit a quotation or proposal; however, should you choose not to respond, completion of this form will assist us in the future.

If for any reason, you are not submitting a proposal on this Request, we ask that you check one or more reasons below, or explain briefly in the space provided at the bottom of the page.

Please return the completed form by fax to _____ [fax number] or by mail to:

_____ [organization requesting bids]

_____ [street address]

_____ [city, state, zip]

We hereby submit a "No Reply" because:

- ☐ 1. We are not interested in being selected through a competitive procurement process.
- ☐ 2. We have insufficient time to respond.
- ☐ 3. Our schedule will not permit us to perform.
- ☐ 4. We do not feel we can be competitive.
- ☐ 5. Scope of work is too large or too small. [Please circle one.]
- ☐ 6. We do not wish to respond under the terms and conditions of the RFP.

Reasons: _____
_____.

- ☐ 7. We are unable to meet the requirements because: _____
_____.

- ☐ 8. Other: _____
_____.

COMPANY NAME

SIGNED

DATE

PRINTED NAME